

BRANDEIS ACCUSED OF PROFITING BY UNFAIR DOINGS

Attacked for Antagonizing
United Shoe Machinery Co.,
Which He Helped Form.

WASHINGTON, Feb. 15.—Louis D. Brandeis of Boston, President Wilson's nominee for the Supreme Court Bench, was attacked to-day before the Senate sub-committee investigating his qualifications, by Samuel W. Winslow, President of the United Shoe Machinery Company, of which Mr. Brandeis was formerly a director and counsel, and by Hollis R. Bailey, a Boston attorney, with whom Mr. Brandeis had been associated years ago in litigation over an estate.

Mr. Winslow charged that Mr. Brandeis had been guilty of unprofessional conduct in that after leaving the shoe machinery company he had used knowledge gained through his association with it to attack as

illegal and criminal "the very acts and system of business which he assisted to create and which he advised were legal."

Mr. Bailey charged that Mr. Brandeis, representing at the same time the lessors and lessees of the Warren Paper Mills, and involving a \$21,000,000 estate, had been guilty of acts which favored one of the interests against the other.

Winslow in his testimony said that Brandeis had been a director of the company, and its counsel, but first resigned as a director, saying he did not wish to serve as director and counsel at the same time. During his connection with the company, Mr. Winslow said, Brandeis never disapproved of any of its acts or methods.

"They met his full approval," said he. "I believe Mr. Brandeis guilty of unprofessional conduct and of conduct not becoming an honorable man in the following respects:

"First, Mr. Brandeis has, at the instance of new clients, attacked as illegal and criminal the very acts and system of business which he assisted to create and which he advised were legal, and he has persistently sought to injure our business. In so doing his knowledge of our leases and business acquired while acting as our director and counsel has naturally been of value.

"Secondly, Owing to his long extended connection with our company as director and counsel and his acquaintance with our affairs, Mr. Brandeis's statements as to our methods and business have naturally carried an authority which would not otherwise have been accorded them.

"An honorable man, when acting for other clients, would in these circumstances have been scrupulously careful that any statements made by him were truthful. Mr. Brandeis, however, has made false and misleading statements as to our acts and business both to committees of Congress and elsewhere."

Winslow charged that Brandeis had admitted before the Massachusetts Legislature that his company was a monopoly, but said the arrangement was legal and valid. But when the Federal Clayton act was passed, similar to the proposed Massachusetts law, which Brandeis helped defeat, he attacked the company as a trust. Hollis R. Bailey followed Winslow

PENNY ANTE: Whoopee! 'Er Up

By JEAN KNOTT



on the stand and gave testimony relative to Mr. Brandeis's connection with the so-called Warren will case.

Bailey was attorney for Edward Warren, one of the beneficiaries of a \$21,000,000 estate for which Brandeis's firm acted as a lessee. Brandeis's partner was S. D. Warren, one of the beneficiaries. It was charged Brandeis and Warren acted to their own interests rather than to those of their clients.

Senator Fletcher tried to force Bailey to admit that it was Warren, not Brandeis, who looked after the estate for the firm exclusively.

The elder Warren, said Bailey, left a \$21,000,000 fortune to his widow and five children. This was transferred to S. D. Warren, Mrs. Warren sr. and a Mr. Mason as trustees. A lease was drawn up by which the property was given to a concern of which the Warren-Brandeis law partnership were lessees.

It was charged that thus the Brandeis-Warren interests were on both sides of the lease-leaseor relation, and that they arranged it so as to profit very largely, to the detriment of the estate.

Senator Fletcher asked if the lease, which paid 6 per cent, and half the profits to the estate, was not an advantageous one.

"In this case, no," answered Bailey. The Brandeis-Warren firm took \$100,000 or so in the first two or three years, he said, and he alleged that part of this was due to the fact that in figuring expenses Brandeis and Warren charged some sums to the estate that should have been charged to themselves.

All these facts had been considered in court, Bailey admitted, when his client sued to break the lease. This suit, he admitted also, had been settled out of court with his client's consent.

Charles S. Mellon, former president of the New Haven Railroad, to-day notified the committee that he had no facts to substantiate the charge by C. W. Barron of Boston that Mr. Brandeis had helped wreck the New Haven road.

After some discussion to-day the committee decided to leave open the question of whether Mr. Mellon should be subpoenaed.

FIFTEEN FAMILIES ROUTED BY FLAMES IN BRONX

Three Firemen Are Injured in Fighting a Three-Alarm Fire—
Loss \$25,000.

A \$25,000 three-alarm fire in frame houses at Nos. 771 to 777 Prospect Avenue, the Bronx, early to-day routed fifteen families.

Policeman Winkelmayer discovered the blaze in the kitchen of No. 775 Prospect Avenue, occupied by Edward Ireal and his wife, Deputy Chief Sineo sent in a second and third alarm. The fire quickly spread to the other buildings.

Fireman William Sittig, driver of truck No. 17, slipped on the ice, sprained his ankle and had to be sent to Lincoln Hospital. Fireman Charles Miller of Truck No. 19 and Richard Hardee of Engine Company No. 94, were overcome by smoke and cold and were sent to their quarters. The origin of the fire is unknown.

An Oregon Mosquito Story.

(From the Portland Oregonian.)
The Monmouth story about a cow stung to death by bees can be matched almost outdone without departure from the straight and narrow way. The mosquito is less ferociously armed than the bee, but in the northern marches she can sting a bear easily enough. Brains is worried into a march where he cannot run away and then stung to death. The most various travelers vouch for this account.

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Bottle, 50c. 25c. 10c.

ENDORSEMENT OF GOVERNOR IN DOUBT ON CONVENTION EVE

(Continued from First Page.)

and conferences. The big leaders refrained from giving their views until they had sensed the overwhelming majority opinion. They said that it was for the delegates to determine which course would benefit the party best, and that all personal feeling should be eliminated from the discussion.

"Think only of the party and its welfare," was the advice of the Old Guard.

The convention will meet at 8 o'clock to-night in Carnegie Hall, but no fireworks or sensations are anticipated at this first session. Ellhu Root is to make the big speech and deal only with national issues. Usual committees will be named and adjournment taken until to-morrow at 11 o'clock, when the fighting, if there is to be any, will begin.

Three of the "Big Four" delegates are picked. Whitman and Senator Jimmie Wadsworth are to have unanimous vote. State Chairman Fred Tanner is confident of getting a majority for the third place. Then comes the struggle for the fourth place between Dr. David Jayne Hill of Rochester and William Berri of Brooklyn.

There is unanimous agreement that no candidate for President shall be endorsed or in any way commended by the convention. No instructions, direct or implied, are to be given the delegates. New York State will send its representatives to the Chicago National Convention entirely unpledged.

DROPPING WHITMAN NOW POOR POLITICS, G. O. P. LEADERS THINK.

(Special From a Staff Correspondent of The Evening World.)

ALBANY, Feb. 15.—Gov. Whitman will be selected by the Republican State Convention to-night as one of the delegates-at-large to the National Convention. He will be selected because the Republican leaders believe it would be bad politics to throw the Governor overboard at this time. For the same reason a mild endorsement of the Whitman administration may be permitted.

Whitman has ceased to be a dominant factor. After the National Convention will come the State primaries and the Republican leaders will shelve him as the candidate for Governor.

Whitman has made a bold showing as an opponent of Barnes, but to Barnes he is indebted for consideration to-night. Weeks ago when the Governor was of the belief that some accident of politics might make him the Republican candidate for President he sent for Barnes to come to the executive mansion at Albany.

Barnes listened to the Whitman Presidential dream. With Hughes out of the running, and with a solid New York delegation behind him, the Governor figured the nomination as something more than a possibility. The "solid delegation" was necessary to the programme and Barnes was asked to assist. The story is that Barnes bluntly told Whitman he wasn't big enough for the Presidency, and that the New York delegates would not be instructed if he could prevent it.

Whitman, finding all argument to this effect quite futile, insisted that precedent entitled him to the selection as one of the Big Four. Even Barnes would not commit himself on this point. Barnes said many things not at all encouraging to the Whitman ambition. If Whitman is named to-night—as seems probable—it will be because Barnes and the Republican leaders disapproved with Whitman believe it will be poor politics to do otherwise.

100 LEPROS AT LARGE IN NEW YORK CITY, CONGRESSMEN TOLD

Expert Says Residents of Other
Large Cities Are Also Ex-
posed to Contagion.

WASHINGTON, Feb. 15.—Hundreds of lepers are at liberty in the United States, exposing the public to contagion, according to leprosy experts who testified to-day before the Senate Public Health Committee. The experts endorsed Senator Hand-dell's bill for a \$250,000 national leprosyarium.

Dr. Theodore Dyer, Dean of Tulane Medical College at New Orleans, and leprosy expert, said it is estimated in New York City alone there are 100 lepers at large. Others are in Cincinnati, Chicago and St. Louis. In the Louisiana State leper colony there are over a hundred patients.

Danger of contagion from leprosy is about one to one hundred, compared to tuberculosis, Dr. Dyer said.

Senator Smoot said he had visited hundreds of lepers and even slept in their houses, without suffering any evil effects.

That leprosy is curable was declared by Dr. Dyer. He said only Louisiana, Massachusetts and California care for their lepers.

J. E. ROOSEVELT ADMITS LOVE GAVE HIM 'BRAINSTORMS'

'Twas "Old Man's" Marriage,
Brother Robert B. Roosevelt
Says at Annulment Trial.

The trial of the suit of John E. Roosevelt, cousin of Col. Roosevelt, for an annulment of his marriage, in 1914, with Edith Hamersley Briscoe Roosevelt, the widow of a navy paymaster, was adjourned in the Supreme Court in Brooklyn to-day to give time for a commission to visit Dr. W. Gill Wiley and take testimony from him regarding Mrs. Roosevelt, who had consulted with him about her reasons for not getting on well with her husband.

The principal witness to-day was the petitioner's brother, Robert B. Roosevelt of Washington, whose wife is a sister of the defendant. He appeared as Mrs. Roosevelt's witness. He said he appeared unwillingly, that he was not on particularly good terms with his brother, and had altogether disapproved of the marriage of his brother and his sister-in-law, because she was only about thirty years old and he was "an old man." J. E. Roosevelt is sixty years old and Robert is fifty-six.

"He spoke to me frequently about his differences with his wife," said Robert Roosevelt. "I never asked him questions. In fact, I told him I did not think a discussion of intimate family affairs was becoming between two men. Afterward his wife went to the Ritz-Carlton for an operation and my brother told me afterwards he was very happy and he would not quarrel with his wife any more."

Francis L. Wellman, formerly counsel for John E. Roosevelt, said that Mrs. Roosevelt had come to him to ask him to start a separation suit for her. He declined to enter on any such proceeding against his client and referred her to Herbert Smith, who had offices with him but he offered to do what he could to reconcile the pair. He said he thought it was due to his efforts that there was a reconciliation.

J. E. Roosevelt was recalled to the stand to testify regarding his conversations with Dr. Markoe and others about Mrs. Roosevelt's health. He was much disturbed emotionally, twisting around in his chair and wringing his hands.

"Is it any wonder," he cried, "that I had emotional brainstorms?"

"Are you going to have one now?" asked Mrs. Roosevelt's counsel.

"To you, yes," he said.

"The counsel objected and Justice Crane cautioned both sides to be more considerate. The Justice said he would appoint a physician to consult with Mrs. Roosevelt if both sides would agree on a man."

PROOF OF HIS LOVE.

(From the Richmond Times-Dispatch.)
Four Young Things—What makes you think Harold is so fond of you?
Second Ditto—Why, I had been holding him in my arms last night and when I left the room for a minute Harold kicked the little darling out into the hall.

WIFE OF J. E. ROOSEVELT WHO IS SUING HER FOR ANNULMENT.



MRS. JOHN E. ROOSEVELT

STEAMSHIPS DUE TO-DAY.

C. of Savannah, Gibraltar, 10 A. M.
Havana, Havana, 11 A. M.
St. Paul, Liverpool, 1 P. M.
Metapan, Cristobal, 1 P. M.



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These vital elements are retained in the scientifically prepared food—
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"There's a Reason" for Grape-Nuts
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